

REGULATION ON SUBDIVISIONS
(SECOND REVISION)

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PLANNING REGULATION NO. 3
PLANNING BOARD OF PUERTO RICO
SANTURCE, PUERTO RICO

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PREFACE

The subdivision of land in a city, and in the vicinity of a city, not only determine its form and its character, but is reflected in the well-being of all the inhabitants. Once the land is subdivided into streets, squares and lots, and the urbanization works carried out and such subdivision officially inscribed, it is difficult to correct deficiencies. Public regulation is necessary, to avoid having the subdivision of land continually exposed to the haphazard methods of the past, which have frequently caused excessive concentrations of traffic, decadent areas, slums, excessive costs of public improvements, and many other difficulties attributable to the defective subdividing of land. Carefully prepared plans should be adopted for future development, and the appropriate provisions put into effect, if the urban populations are going to enjoy fully health, well-being and comfort, and if they are going to be proud of civic accomplishments.

The Planning Board of Puerto Rico was created by Law No. 213, approved by the State Legislature on May 12, 1942. This Law provides that the Planning Board "shall adopt regulations that will govern the subdividing of lands in Puerto Rico", and that when such regulations go into effect, "no subdivision of land will be carried out in Puerto Rico and no plan for the subdivision of land will be accepted for registry, nor will any building be erected, nor any land in urban areas or for urbanization be sold or leased, nor any permit be issued, except when they comply with the said regulations and have been finally approved, in accordance with those regulations, by the Board".

The Law created, in addition, the Registry of Subdivision Plans of which the respective Property Registrars shall be in charge, in order that final subdivision plans, once approved by the Board, may be inscribed in the pertinent Register of the district in which the lands are situated.

Subdivision, as defined by the Law, is "the division or subdivision of a lot, piece or parcel of land into two or more parts for sale, transfer, cession, lease, donation, usufruct, use, census, foeffment, as well as for a new building, and it includes, also, urbanization as it has been used up to now in the legislation of Puerto Rico, and in addition a mere segregation".

Planning Regulation No. 3, entitled "Regulation on Subdivision", was adopted by the Board on June 16, 1944, in accordance with Article 10 of the Planning Law, and it entered into effect on September 4, 1944. Subsequently, it was revised by the Board on February 18, 1945, on May 29, 1949, and on April 26, 1954.

This Regulation is applicable in both the rural zones of Puerto Rico and the urban zones. It establishes only minimum standards which should be improved upon by the majority of urbanizers.

In considering subdivisions of land for building, the Board shall avoid their development in areas that are not in condition to be urbanized because of lack of installations, because of their distance from other urbanized areas, or for other similar social, economic and physical deficiencies. The Board, when the urbanizer so requires, shall assist in the preparation of the design and in

the development of the subdivision.

In accordance with Article 24 of Law No. 213 of 1942, as subsequently amended, any person who infringes its provisions and consequently the Regulation, shall be guilty of a misdemeanor and, when found guilty, shall pay a fine of not less than twenty-five (25) dollars nor more than three hundred (300) dollars and an additional fine of the same amount for each building, or structure constructed or maintained, or for each lot, parcel or interest in such lot or parcel that has been transferred, sold or leased, or where agreement has been made to sell or lease. The Secretary of Justice, in the name of The People of Puerto Rico, may formulate the pertinent denunciation on his own initiative and, at the request of the Board, must stop such violation by a recourse of interdiction in any court of competent jurisdiction. No registrar shall accept for inscription any plan of subdivision that has not been finally approved and certified by the Board, nor any transfer, or agreement to transfer, a parcel of land, or any interest in a parcel of land, within a subdivision, unless the final or preliminary plan has been registered after approval by the Board.

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FREE ASSOCIATED STATE OF PUERTO RICO

LA FORTALEZA

San Juan, March 26, 1954

Administrative
Bulletin

PROCLAMATION
OF THE GOVERNOR OF PUERTO RICO

Planning Regulation No. 3 (Second Revision)

The following regulation, adopted by the Planning Board of Puerto Rico on March 17, 1954, under the authority of Law No. 213 of 1942, as subsequently amended, in substitution for as a second revision of Planning Regulation No. 3 at present in effect, is hereby promulgated for the information and governance of all persons to whom it is of interest:

REGULATION OF LAND SUBDIVISION
(SECOND REVISION)

TITLE I
GENERAL PROVISIONS

ARTICLE 1. - Application. - Any subdivision of lands in Puerto Rico, whether in the urban or rural zones, shall be governed by the provisions of this Regulation of Subdivision (Second Revision).

ARTICLE 2. - Definitions. - The following terms, when used in this Regulation, and for all purposes of the Regulation, shall have the meaning that is stated for each term in the following:

- (1) Subdivision - is "the division or subdivision of a lot, property or parcel of land in two or more parts, for sale, transfer, cession, rental, donation, usufruct, use, granting, fief in trust, as well as for construction of a new building; and it includes the term urbanization, as it has been used up to the

present in the legislation of Puerto Rico; and also the simple term segregation".

- (2) Board - is the Board of Planning, Urbanization and Zoning of Puerto Rico, created by Law No. 213, approved on May 12, 1942, as amended.
- (3) functionary and agency - "when employed with reference to Puerto Rico, shall include the State Government or any of its parts, offices, representatives, departments, commissions, dependencies, instrumentalities or governmental corporations, municipalities or branches; their agents, functionaries and employees."
- (4) urbanizer - is any natural or juridical person interested in carrying out a subdivision that includes urbanizing works.
- (5) lands - includes both land and water, the space over them and the land beneath them.

ARTICLE 3. - Exemptions for the Rural Zone. - There shall be exempt from the provisions of this Regulation those subdivisions of farms in the rural zone, for agricultural purposes, when the area, of the remainder of the division as well as of the new fincas that result, is five (5) ¹cuerdas or more; Provided, that there shall not be included in this provision for exemption those subdivisions in areas that the Board determines should not be exempted because of the possibilities of urban extension.

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Translator's note: The Puerto Rican cuerda equals 0.97 acre.

TITLE II

PROCEDURE

ARTICLE 4.- Declaration of Intention to Subdivide.- Any natural or juridical person interested in carrying out a subdivision, shall first fill out a Declaration of Intention to Subdivide on the form provided by the Board, and will present it before the Secretary of the Board who, if it includes all the documentation and the minimum information required by this Regulation, will proceed to register it. The Secretary of the Board shall return without registering it, any Declaration of Intention to Subdivide that does not include all the documentation and information required.

ARTICLE 5. - Exemptions for Rural Zone. - When the Declaration of Intention to Subdivide shows that it concerns the subdivision of a farm in the rural zone, for agricultural purposes, in which the remainder, or any of the new farms, will have an area less than five (5) cuerdas after subdivision, the Board may expressly exempt such subdivision from compliance with the provisions of the present Regulation.

In those cases, the Declaration of Intention to Subdivide shall be accompanied by a sketch and a description of the proposed subdivision the same as will be included in the formal registration which will be prepared for this purpose. Instead of such a description, the formal registration document (escritura) may be submitted with the Declaration if the escritura is already prepared; Provided, that the preceding does not imply that this Regulation authorizes

the approval of escrituras without obtaining the prior approval of the Board for this purpose.

The Registrar of Property, before accepting these subdivisions for registration, shall require from the interested party the certification issued by the Board for this purpose.

ARTICLE 6. - Exemptions from Construction Plans. - When it is shown by the Declaration of Intention to Subdivide that it concerns a simple subdivision, that is, when all the urbanization works are already constructed, and even in those cases when the urbanization works are not constructed but are very simple, the Board may decide that the Construction Plans which are required by subsequent parts of this Regulation shall not be necessary, and may expressly exempt such subdivision from compliance with the requirement that such plans be presented.

Nevertheless, in such cases, Inscription Plans shall be required, which shall comply with all the requirements prescribed in Title VIII that prove to be applicable.

ARTICLE 7. - Exemptions from Inscription Plans. - When a subdivision that has been exempted from the presentation of Construction Plans, as provided in Article 6, proves to be of five (5) parcels or fewer, and when the subdivision is not in conflict with any provision or requirement of the law or this Regulation, the Board may, following the procedure already established, exempt such subdivision likewise from compliance with the requirement for presentation of Inscription Plans.

ARTICLE 8. - Data to be Submitted in Cases that Include Urbanization. - When the subdivision includes streets and other urbanization works, the Declaration of Intention to Subdivide shall be accompanied by a general description or sketch that indicates the general idea or any specific purposes that the urbanizer may have for its development. The purpose of this information is to facilitate the preparation or revision by the Board of a Preliminary Development statement for the subdivision as required in Article 9.

In these cases, the Declaration of Intention to Subdivide shall likewise be accompanied by a plan showing the measurements of the parcel to be subdivided, in a scale of 1:2000, which shall include, in addition to the technical measurement data, the adjoining lands, the situation of bordering public streets and the topography of the parcel, with equi-distant contour curves ("contour intervals") of not more than one (1) meter.

ARTICLE 9. - Preliminary Development. - In cases to which reference is made in the preceding article, the Board may assist the urbanizer in planning the arrangement and use of the subdivision, by preparing or cooperating in the preparation of a Preliminary Development, or a preliminary design of the order or general disposition of the subdivision, in the form which, in its judgement, may be the most adequate and which is best adapted to the conditions and local characteristics of the area to be subdivided, and which conforms with the provisions of this Regulation.

Once approved by the Board, the Preliminary Development shall be the basis for the preparation of the subdividing plans that are required in Articles 10 to 14 of this Regulation.

The approval of a Preliminary Development shall be effective for only a period of one (1) year from the date on which the Board has officially taken such action, but this period may be extended by the Board when such extension is not considered prejudicial to the public interest.

ARTICLE 10. - Registry of Construction Plans. - Within a period of not more than one (1) year from the date on which the Board has approved the Preliminary Development, the urbanizer shall draft and register with the Junta, in seven (7) copies, the Construction Plans, in the form provided further on in Title VII. The Board shall provide copies of these plans to the other governmental agencies that must take part in the projected subdivision.

ARTICLE 11. - Action on Construction Plans. - Before definitely approving the Construction Plans, the Board shall make certain that projected subdivision shown in these plans is not in conflict with ~~the~~ any provision or requirement of the law or this Regulation. The Board may approve the Construction Plans with modifications, in which case it will indicate on the plans the changes that are required because of this.

The Board shall take action on Construction Plans within a period of not more than sixty (60) days after their registry. When the Board considers it appropriate, or when an interested party requests it, the Board may carry out a Hearing, which shall be public in character, before taking such action. The announcement of this Hearing shall interrupt the period here established. For purposes of this article, interested parties shall be considered to be: (1) the urbanizer, (2) the person or persons who may show that

they are affected, (3) the mayor of the municipality in which the land to be subdivided is situated, and (4) any governmental agency.

The approval of the Construction Plans shall be effective for only a period of three (3) years from the date on which the Board has officially taken such action, but this period may be extended by the Board when such extension is not considered prejudicial to the public interest.

ARTICLE 12. - Commencement of Works. - The approval of the Construction Plans by the Board shall be considered only as an acceptance of the design for the subdivision with respect to its conformity with this Regulation. This only authorizes the urbanizer to carry out the works indicated on the plan, but not to dispose in any way of the lots or parcels, nor to inscribe or utilize them as such.

In no case shall the urbanizer proceed with grading, construction of streets, installation of services or other urbanizing works until the Construction Plans have been approved in these respects. All urbanization works shall be carried out in strict harmony and conformity with the Construction Plans.

ARTICLE 13. - Inspection of the Works. - Upon beginning the urbanization works, the urbanizer shall be required to notify the Board in writing to this effect, and the Board, in turn, shall notify the various interested governmental agencies and offices concerned with the various phases of such works. These functionaries and agencies shall order the inspection that may be necessary to give effect to full compliance with the respective parts of this Regulation.

ARTICLE 14. - Registry of Inscription Plans. - The urbanizer shall register the Inscription Plans for the entire subdivision within a period of three (3) years from the date of the official approval of the Construction Plans by the Board.

The Inscription Plans shall be registered in six (6) blue print copies, together with a copy on cloth or tracing paper or on negatives of the Van Dyke type, and with one (1) copy of all the documentation and certifications that shall form a part of such Inscription Plans as required further on in Title VIII.

ARTICLE 15. Registry of Partial Inscription Plans. - During the period prescribed in the preceding article, the urbanizer may likewise register Inscription Plans for parts of the subdivision, and the Board may accept them provided that, and when each part is considered by the Board as a unit in itself, desirable and appropriate from the point of view of urban development. In these cases, the Board may impose the conditions that it considers to be appropriate and necessary for assure full compliance with this Regulation.

ARTICLE 16. - Action on Inscription Plans. - Before definitely approving Inscription Plans, the Board shall make certain that these correspond in every respect to the Construction Plans that they represent. Nevertheless, the Board may accept minor variations in the size and form of parcels, provided such variations are compatible and adapt properly to streets and other parts of the subdivision, as designed in the Construction Plans or already constructed, and that they are in accord with the provisions of this Regulation.

The Inscription Plans shall not be approved until after the

completion of all grading, streets, installations and other works of urbanization, or until the urbanizer has presented an execution bond guarantying the completion of such works within a period fixed by the Board. The execution bonds shall be presented in a form prescribed by the Attorney General of Puerto Rico and satisfactory to the Treasurer of Puerto Rico.

Upon the approval of the Inscription Plans, the Secretary of the Board shall return to the urbanizer two (2) copies of such plans, certifying his approval and signing them in the name of the Board.

ARTICLE 17. - Registry of Inscription Plans. - Once the Inscription Plans are approved, the urbanizer shall present a copy in the registry or registries of subdivision plans in which the property included in the subdivision is inscribed, for the inscription and filing of the Inscription Plans in accordance with the regulations issued by the Attorney General of Puerto Rico for such purposes.

Any restrictions and rights-of-way required by the Board for the subdivision, once approved, shall be inscribed as a part of the Inscription Plans, and may not be modified or altered in any form, except by the approval of the Board.

ARTICLE 18. - Use or Disposition of Subdivided Lands. - No building shall be built, nor shall any use be made in any form of any lands, nor shall any permit be issued for the use of such lands or for building on them, until such time as the Inscription Plans have been inscribed and filed as required in Article 17.

ARTICLE 19. - Cases of Confiscation of Bonds. - In case of the confiscation of an execution bond, and once the funds confiscated for such purposes are placed at the disposition of the authorities, the pertinent

ities, the pertinent functionaries or agencies shall order the execution of the respective works, to make this Regulation effective and to lend the appropriate services according to the provisions, further on, of Article 20.

ARTICLE 20. - Services and Conservation. - After the Inscription Plans have been approved and registered, and after all the streets and other urbanization works are completed, such streets shall have legal status as public streets, as provided in Article 22, and in accordance with Article 11 of Law No. 213 of 1942, as amended; and it shall be understood that the streets within such a subdivision shall be transferred to be public property and that the municipality, agency of pertinent entity shall extend to such streets the services and the maintenance that is pertinent.

TITLE III

GENERAL TECHNICAL REQUIREMENTS

ARTICLE 21. Regulating Plan. - Any subdivision of lands that is projected shall be fully in accord with the Regulating Plan for the Development of Puerto Rico, in all of the aspects and extents to which this related to urban development, and insofar as the Regulating Plan has been adopted by the Board.

ARTICLE 22. - Social, Economic and Physical Deficiencies. - No subdivision of lands which includes streets and other urbanization works shall be carried out when, in the opinion of the Board, the need for such subdivision does not justify its immediate development.

The Board shall avoid such developments in areas that are not in condition to be urbanized because of lack of installations, because of their distance from other urbanized areas, or because of

other analagous social, economic and physical deficiencies.

ARTICLE 23. - Plan for the Neighborhood. - Based upon the Regulating Plan for the Development of Puerto Rico, insofar as this is adopted, and if this should be considered appropriate for the more advantageous development of an entire neighborhood, the Board may prepare a general plan for the neighborhood, which may include parcels belonging to various owners, in which plan the Board should take into account, in addition to matters pertaining to physical design, any other economic and social aspects that may be applicable.

The subdivision shall be made in accordance with the plan thus prepared by the Board, in order that its design may be correlated with the future development of the other property that borders on it.

In such cases, the Board may consult with the owners of the neighboring parcels included in such a plan of general development, before taking definitive action concerning any part of the plan.

ARTICLE 24. - Use of Lands. - No parcel of land shall be subdivided when, in the judgement of the Board, the form of development proposed would have inappropriate results for any of the following reasons:

- (a) Because the projected use of the lands does not conform to the most advantageous general development for the area in which the parcel to be subdivided is situated.
- (b) Because the projected land use does not conform to the Zoning Regulation.
- (c) Because the design of the subdivision does not conform

to the projected use of the lands.

ARTICLE 25. - Condition of the Lands. - There shall be no subdivision of lands in which residences are to be permitted, if in such subdivision there will be created houses that will not provide a healthful environment for living, in accordance with the requirements of the Department of Health.

Likewise, there shall be no subdivision, whether for residential purposes or any other use, when, in the judgement of the Board, the property to be subdivided does not offer the necessary conditions for the erection of buildings or structures in the new lots or parcels.

ARTICLE 26. - General Requirements of Design. - As a prior condition to the approval of any project for subdivision, the Board shall consider the design and the type of development that is projected, in accordance with its purpose, including a definitive tracing of the streets, the electric lighting, the ventilation, and the population density; the provision of potable water, the drainage and sanitary installations, the size and the form of the lots or parcels; the obligatory reservation of any minimum reasonable area for schools and for other public purposes, the dedication of areas for parks, and the extent and manner in which said works are to be constructed.

ARTICLE 27. - Extension of Cities and Populations. - In considering any project for subdivision, the Board shall be guided by the general objective of avoiding the expansion of cities and towns by excessively small units which include only one or a small number of lots, since such developments add considerably to the difficulty

of providing adequately for the necessary urbanization works for such expansion, and also to the difficulty of their fulfilling the other requirements and conditions established in this Regulation.

The Board shall likewise avoid the carrying out of expansions of cities and towns by the formation of lines of lots along, and fronting on, the existing State and Municipal Highways, considering that such developments prove to be deficient, and do not constitute the proper and economic form of extending urban areas.

ARTICLE 28. - Designation. - The name proposed for a subdivision should not be the same or similar to the name of any other subdivision in the municipality in which it is situated. The designation of names for the subdivision and its streets, and the numbering of the lots, shall be subject to the approval of the Municipality in which said subdivision is situated.

TITLE IV

PUBLIC HIGHWAYS

ARTICLE 29. - Types of Public Highways. - In addition to existing thoroughfares, as officially classified by the Board, there shall be considered in the application of the present Regulation the following types of public highways:

- (a) Express Highways, which are here defined as highways of considerable continuity, expressly for direct travel because they are protected from access from property along the highway, and which facilitate the movement of vehicles through the city or its surroundings. There shall be considered as such those express highways that appear on

the Regulating Plan and/or Official Map or that may be designated by resolution of the Board.

- (b) Avenues, which are here defined as highways of considerable continuity that serve as access to important areas of the city and its surroundings, or for inter-connection between Express Highways. There shall be considered as such those Avenues that appear on the Regulating Plan and/or Official Map, or which may be so designated by the Board.
- (c) Principal Streets, which are here defined as highways supplementary to those already mentioned, which serve as access to the zones of intensive building or of great commercial activity or industrial activity, and in which streets intersections are permitted at grade level and with direct access to properties along the street. There shall be considered as such those Principal Streets that appear on the Regulating Plan and/or Official Map or that may be so designated by resolution of the Board.
- (d) Local streets, which are here defined as access roads to adjoining properties, their primary function being that of access rather than direct transit.
- (e) Dead-end Streets, which are here defined as local streets closed at one end, which give access to the adjoining properties.
- (f) Lateral streets, which are here defined as Local Streets, contiguous and parallel to the Express Highways or other principal highways, which separate the direct transit from local traffic and give an access to adjoining properties. ✓

- (g) Alleys, which are here defined as public or private roads, open to wheeled traffic, the right-of-way of which is ten (10) meters or less.
- (h) Cross-walks, which are here defined as sidewalks for pedestrians situated near the center and crossing the manzanas.²

ARTICLE 30.- Routing of Public Highways. - The routing of the streets, and of all other public highways, shall be in accordance with the general plan for the development of the entire neighborhood. All public highways that are proposed shall be correlated with the existing highways, as officially classified by the Board, and also with planned highways and with those that form part of the Official Map or that are decided upon by resolution of the Board.

In case the plans submitted include only a part of the parcel of the urbanizer, the Board may require a Preliminary Development of the system of future public roads for the part that is not included.

ARTICLE 31. - Access for the Subdivision. - When a parcel of land is not provided with at least one public road giving access to it and connecting it with a city or town, such parcel shall not be subdivided until an access road is constructed as a part of the project of subdivision. Any public access road that is projected must be a design acceptable to the Board as adequate and appropriate for urban traffic.

ARTICLE 32. - Access for Lots and Parcels. - Any subdivision shall be carried out in such form that each lot and each parcel is provided

2. The manzana is a square of land area that may vary in size from country to country, but is usually about 1.7 acres. (Translator's note).

with satisfactory access to a highway, avenue or an existing street that already exists or whose construction is planned within the plan of the subdivision.

When the lots and parcels front upon existing public roads whose design does not conform in every respect with the requirements for such roads in this Regulation, according to their official classification as determined by the Board, the urbanizer shall construct the works that are lacking in order that the subdivision may be provided with the necessary urban works.

In the cases of lots and parcels that front on Avenues that appear in the Regulating Plan and/or Official Map, or that are decided upon by resolution of the Board, the urbanizer shall construct those parts of his transverse section that include a traffic line and a line for parking vehicles, in addition to providing for sidewalks and space for planting trees. If lots or parcels are projected for both sides of the Avenue, the said provision of facilities shall be carried out on both sides.

There shall be no setting aside of strips of land that impede access to public roads, except in case the ownership of such strips is transferred definitively to the municipality or The People of Puerto Rico under conditions approved by the Board.

ARTICLE 33. - Separation of Direct and Local Traffic. - When there is a proposal for the subdivision of lands contiguous to an Express Highway that appears in the Regulating Plan and/or Official Map, or such a highway that is decided upon by a Resolution of the Board, the urbanizer shall provide Lateral Highways that shall be adjacent to the said Express Highway. The inter-connection between

the Lateral Highways and the principal highways of the Express Highway shall be only in those places that are decided upon by the Board.

The Lateral Highways shall be for the purpose of separating the direct traffic from the local traffic, maintaining the principal arteries open for direct traffic only and protecting the adjoining lots from the intense traffic of the principal highway. These shall, in turn, be provided with adequate access.

In special cases in which the direct traffic or the design of the subdivision so requires, the Board may require the construction of Lateral Streets contiguous to Avenues or to any other type of principal road.

With the approval of the Board, the urbanizer may substitute these protective measures, the Lateral Streets, with some other measure that fulfills the purposes that are sought.

ARTICLE 34. - Utilization of Dead-End Streets. - Dead-End Streets may be used only when, in the judgement of the Board, they are required by the physical conditions of the area to be subdivided or for the better preparation of an adequate design.

ARTICLE 35. - Length of Dead-End Streets. - Dead-End Streets shall not be longer than seventy (70) meters except in special cases in which the Board may authorize greater lengths. In such special cases, however, the Board may require a greater width for the street than the minimum required by this Regulation.

ARTICLE 36. Turn-Around Areas. - Any Dead-End Street shall end with a circular area that facilitates the turn-around of vehicles, of a design accepted by the Board. Its right-of-way shall be not

less than twenty-five (25) meters diameter, and its rounded surface should have an exterior diameter of not less than twenty (20) meters and a pavement of at least six (6) meters in width. For transition between the street and the turn-around area, circular counter-curves shall be used with a minimum radius of fifteen (15) meters on the line of the outer edge and twelve and a half (12.50) meters on the limit of the right-of-way.

In the case of imcompleted streets, the Board may require provisional turn-around areas in accordance with the provisions of Article 39.

Instead of the circular design of turn-around areas as established by this Article, the Board may approve any other kind of paved space that is equally safe and appropriate for turning around.

ARTICLE 37. - Utilization of Alleys. - The Board may require public or private alleys in commercial or industrial centers to increase access to buildings.

ARTICLE 38. - Utilization of Cross-Walks. - Near the center and across squares (manzanas) whose width exceed two hundred (200) meters, cross-walks shall be provided for pedestrians, the purpose of which shall be to reduce the distances for the transit of persons.

ARTICLE 39. - Incomplete Streets. - When there exists, or when there has been officially planned an incomplete street contiguous to the parcel that is being subdivided, the remaining part of it to complete it shall be constructed.

In the case of incompleted streets that are only planned, the urbanizer, in constructing the remaining part in accordance with this provision, shall, at the extreme interior end of such construction,

provide a provisional area for turn-around of a design acceptable to the Board.

ARTICLE 40. - Right-of-Way. - The right-of-way for a public road shall be taken as the shortest distance between the lines that delimit all the space dedicated to public use in such public road. The right-of-way shall be transferred by, or shall be set aside by the urbanizer as may be required by the Board, and for such purposes the following minimums are established:

- (a) For Express Highways, not less than forty-two (and a half (42.50) meters, of which twenty (20) meters shall be transferred for two Lateral Streets, and the remainder shall be set aside.
- (b) For Avenues, not less than thirty-three (33) meters, of which nineteen (19) meters - that is, nine and a half (9.50) meters on each side of the Avenue for a line of traffic and a line for parking vehicles on each side, in addition to the space dedicated to sidewalk and the planting of trees, and the remainder shall be set aside.
- (c) For Principal Streets, not less than eighteen (18) meters which shall be transferred in their entirety.
- (d) For Local Streets, not less than thirteen (13) meters which shall be transferred in their entirety.
- (e) For Dead-End Streets, not less than eleven (11) meters which shall be transferred in their entirety.
- (f) For Lateral Streets, not less than ten (10) meters, which shall be transferred in their entirety.

(g) For Alleys, not less than six (6) meters, which shall be transferred in their entirety.

(h) For Cross-Walks, not less than three (3) meters, which shall be transferred in their entirety.

In the intersections of principal public roads, the right-of-way may be greater, in order that such intersections may be projected in a form that is adequate and acceptable to the Board.

ARTICLE 41. - Rolling Surface. - The rolling surface, or the paved surface, is here defined as that part or parts of the public road available for the transit of vehicles. The urbanizer shall construct the rolling surfaces of the following types of public roads, which shall have, at least, the width that is provided in the following:

(a) In the Avenues, not less than five and a half (5.50) meters on each side of those on which there are going to be lots or parcels..

(b) In the Principal Streets, not less than eleven (11) meters.

(c) In the Local Streets, not less than eight (8) meters.

(d) In the Dead-End Streets, not less than six (6) meters.

(e) In the Lateral Streets, not less than six (6) meters.

(f) In the Alleys, not less than five (5) meters.

(g) In the Cross-Walks, not less than a meter and a half (1.50).

The urbanizer shall pave all the rolling surfaces here required. The macadam with an asphalt surface shall be considered the type of minimum acceptable surface. Cross-Walks shall be constructed of concrete or other substitute material acceptable to the Board.

ARTICLE 42. - Curbing and Gutters. - Curbing and gutters shall be constructed, designed of concrete and in combined form, on each side of the roadway of any public road. In the case of Alleys, the curbing and gutter shall be required on only one side, and in the case of cross-walks, these shall not be required.

Instead of concrete, some other substitute material acceptable to the Board may be used for curbing and gutters.

ARTICLE 43. - Safety Strips. - A safety strip is here defined as the space situated between the roadway and the sidewalk along a public road, and it shall include the width occupied by the curbing. The safety strip separates the pedestrian traffic from the vehicle traffic, and it may be used for planting trees.

Safety strips shall be required along all public roads except Alleys and Cross-Walks. In residential areas, safety strips shall have the widths that are established in the following:

- (a) Along Avenues, not less than two and a half meters (2.50).
- (b) Along Principal Streets, not less than two (2) meters.
- (c) Along Local Streets, not less than a meter and a half (1.50).
- (d) Along Dead-End Streets, not less than a meter and a quarter (1.25).
- (e) Along Lateral Streets, not less than two meters and a half (2.50).

In commercial and industrial centers, safety strips along the public roads may have less width in accordance with the provisions of Article 44.

ARTICLE 44. - Sidewalks. - Sidewalks shall be constructed along both sides of every public road, except in the case of Lateral Roads and Alleys, in which these shall be required on one side only, and in the case of Cross-Walks, in which there shall be only one central sidewalk. The sidewalks along the various public highways shall have the minimum widths established in the following:

- (a) Along the Avenues, not less than a meter and a half (1.50).
- (b) Along the Principal Streets, not less than a meter and a half (1.50).
- (c) Along Local Streets, not less than a meter and a quarter (1.25).
- (d) Along Dead-End Streets, not less than a meter and a quarter (1.25).
- (e) Along Lateral Streets, not less than a meter and a half (1.50).
- (f) Along Alleys, not less than one (100) meter.
- (g) On Cross-Walks, not less than a meter and a half (1.50).

In commercial and industrial centers, the sidewalks required shall have additional widths, as required by the Board, but, in these cases, the Board may permit a lesser width equivalent to its lesser requirement for the safety strip.

All the sidewalks provided for in this Regulation shall be constructed of concrete or other substitute material acceptable to the Board.

ARTICLE 45. - Minimum Radius for Curves. - The minimum radius for curves in the public roads, taken from the axis of such radii, shall be as specified in the following:

- (a) On Express Highways, three hundred (300) meters.
- (b) On Avenues, two hundred (200) meters.
- (c) On Principal Streets, sixty (60) meters.
- (d) On Local Streets, thirty (30) meters.
- (e) On Dead-End Streets, thirty (30) meters.
- (f) On Alleys, twenty (20) meters.

ARTICLE 46. - Straightaways. - Between every curve and counter-curve, there shall be provided a stretch or tangential roadway, the minimum length of which shall be as established in the following:

- (a) On Express Highways, thirty (30) meters.
- (b) On Avenues, twenty (20) meters.
- (c) On Principal Streets, fifteen (15) meters.
- (d) On Local Streets, ten (10) meters.
- (e) On Dead-End Streets, ten (10) meters.
- (f) On Alleys, five (5) meters.

ARTICLE 47. - Grades. - No public road shall have a grade of less than one half of one percent (0.5%). The maximum grade, for the various types of public roads, shall be as established in the following:

- (a) On Express Highways, five per cent (5%).
- (b) On Avenues, seven per cent (7%).
- (c) On Principal Streets, seven per cent (7%).
- (d) On Local Streets, eight per cent (8%).
- (e) On Dead-End Streets, eight per cent (8%).
- (f) On Lateral Streets, nine per cent (9%).

(g) On Alleys, seven per cent (7%).

(h) On Cross-Walks, twenty per cent (20%).

On Cross-Walks, when conditions require them, steps of design acceptable to the Board shall be projected.

ARTICLE 48. - Vertical Curves. - Any change in the grade of a public road, in which the algebraic difference in the percentage of grade is half of one percent (0.5%) or more, shall be ameliorated by a vertical curve a minimum of thirty (30) meters in length, in Express Highways, Avenues and Principal Streets, and fifteen (15) meters in length in Local Streets. When the algebraic difference of said percentages is greater than eight per cent (8%), the lengths of the vertical curves shall be computed on the basis of a visibility of ninety (90) meters on Express Highways, Avenues and Principal Streets, and sixty (60) meters on Local Streets, presuming that the height of the view of the driver is a meter and a half (1.50) over the pavement.

ARTICLE 49.- Intersections. - At the intersections of streets and alleys, the corners, on the edges of properties, shall be rounded off with the arc of a minimum radius of three and a half meters (3.50) and a meter and a half (1.50), respectively. In commercial and industrial centers, a cord may be substituted for such a rounding off.

The curbing, at the corners of streets and alleys, shall be designed in circular form, with a minimum radius of six (6) meters, and two and a half (2.50) meters, respectively. When the smaller angle of an intersection is less than sixty (6) degrees, the aforementioned minimum radii shall be greater.

Greater radii may be required in all those cases of public roads that require intersections of a special type.

In cases in which there is projected a safety strip between the sidewalk and the curbing, the safety strip may be interrupted, at the corners, between the points of tangency of the aforementioned arcs required in this Article, the sidewalk being constructed, between such points, from the edge of the property up to the curbing.

TITLE V

SQUARES, LOTS AND FREE AREAS

ARTICLE 50. - Squares. - The streets that form squares (manzanas) shall be traced in such a manner that the length of these, taken from between the streets, shall not exceed three hundred (300) meters, except when the existing conditions justify a deviation from this rule.

The width of the squares should be sufficient to permit two lines of lots of appropriate depth. The squares of subdivisions that are situated in residential areas and that have two (2) lines of lots, shall measure, in their width, not less than fifty (50) meters, nor more than ninety (90) meters, taken between the edges of the streets.

In commercial and industrial centers there may be a considerable deviation in the sizes and shapes of squares normally required to permit lots of a shape and size adaptable to such purposes, as provided in Article 51, and space for the parking of vehicles, alleys for access to the rear of buildings, and for other facilities.

ARTICLE 51. - Lots. - The size, form and position of lots shall be adjusted to the type of development that is projected, and shall be subject to the following conditions:

(a) Lots for residences shall have not less than three hundred (300) square meters of surface, and not less than twelve (12) meters in width at the front of the lot and on the line of the front of the building, except that those lots that are situated at the inner end of a Dead-End Street, may have a minimum width of twelve (12) meters on the line of the front of the building and six (6) meters on the line of the front of the lot.

(b) Lots for business firms may be of a size and dimensions less than the aforementioned minimums established for residential lots, provided that the Board approves. In such cases, however, the Board may require guaranties to the effect that these lots will not be used for purposes other than those of commerce.

(c) In industrial centers, the Board may require lots of greater size and dimensions than the aforementioned minimums established for residential lots, if this is considered necessary to assure the better development of the area in question. In those cases, the Board shall set forth in the pertinent resolution the reasons that it requires larger lots.

(d) The sizes and dimensions of lots shall be in accordance with the Zoning Regulation, and compatible with the character of the neighborhood as may be determined officially.

(e) Corner lots shall have additional width which will permit building to be set back from both streets.

ARTICLE 52. - Boundary Lines between Lots.- Insofar as is

possible, the lateral boundaries of lots shall be perpendicular to the edges of straight streets and to the radius when the streets form curves.

ARTICLE 53. - Leveling of Lots. - The Board may require the leveling of land dedicated to housing lots, when the level of the land is below or considerably higher than the level of the street.

ARTICLE 54. - Building Restrictions. - If the subdivision does not fall within the force and effect of the existing Zoning Regulation, the Board may require that certain minimum space shall be provided at the front, the sides or behind buildings.

ARTICLE 55.- Parks and Other Free Areas. - Due consideration shall be given to the setting aside and dedication of areas appropriate for parks and recreation and sports fields. At least five percent (5%) of the total area of any proposed subdivision which includes a new street or new streets, shall be legally dedicated for recreational purposes. The urbanizer, when he so desires, may transfer the title of such property to the People of Puerto Rico.

Such setting aside and dedication of free spaces shall be combined, if possible, with similar areas in contiguous parcels, whether by means of the design of the subdivision or by any other legal means.

ARTICLE 56. - Institutions and Other Public Facilities. - Due consideration shall likewise be given to the designation and the obligatory setting aside of areas appropriate for the dedication of schools and for other public purposes.

Such lands for public purposes shall be combined, as in the case of the preceding article, with similar areas in contiguous parcels, and shall be adjusted to the requirements of the Regulating Plan.

TITLE VI

INSTALLATIONS OF PUBLIC UTILITY

ARTICLE 57.- Water Pipes. - Water supply shall be provided for each residence lot in a form that satisfies or conforms with the requirements of the Water and Sewer Authority of Puerto Rico and that is approved by the Board.

Fire hydrants shall be provided in accordance with the requirements of the Fire Department; It is established that, in no case, shall these be situated more than one hundred and eighty-five (185) meters from each other.

ARTICLE 58.- Sewer System.- Installations necessary for the adequate disposition of sewage shall be provided for each residence lot in a form that satisfies or conforms with the requirements of the Water and Sewer Authority of Puerto Rico and that is approved by the Board.

ARTICLE 59.- Drainage Works. - It shall be required that the developer take adequate measures for the drainage of the streets and of the general area in a form that satisfies or conforms with the requirements of the Health Department and of the agency or governmental office that is in charge of such conservation. The developer shall, moreover, construct all the drainage system, bridging and canal works that such entities or the Board consider necessary.

ARTICLE 60.- System of Electricity Distribution. - All electrical lines, posts, guys, transformers, switches and other equipment necessary for a complete system of electricity distri-

bution shall be provided, as well as street lighting from subterranean lines, with a view to responding to the requirements of development when all the lots have been occupied. Such installations shall be erected in a form that satisfies or conforms with the requirements of the "National Electrical Code" and of the entity that provides local electrical energy and light, as may be approved by the Board.

ARTICLE 61.- Easements. - The Board shall require the establishment, in legal form, of easements of two (2) meters width or more, one (1) meter on each side of the rear or lateral boundaries of the residence lots, when this may be necessary or convenient, for posts, electrical lines, conduits, drainage systems for rainwater and sewage, gas lines, water pipes, or other services, unless special strips of land are provided for such purposes.

Easements of equal or greater width may be required, along the boundaries, or across lots, when these may be necessary for the extension of existing or projected services.

ARTICLE 62.- Specifications. - All the development works that are required by this Regulation shall be constructed by the developer in accordance with specifications that the developer submits as a part of the Construction Plans, approved by the Board.

TITLE VII

CONSTRUCTION PLANS

ARTICLE 63. - Definition. - Construction Plans are defined here as a series of maps, drawings and documents, by means of which there is presented to the Board, for its approval, the development plan. This approval constitutes the official acceptance that the project is in accord with this Regulation. Once approved, the Construction Plans shall serve as a basis for carrying out the required works and for the preparation of the Inscription Plans.

The drawings included in the Construction Plans may be made by pencil, provided that copies taken from them are legible.

ARTICLE 64.- Scale. - The horizontal scale of the Construction Plans shall be not less than 1 to 1,000, and preferably 1 to 500. The vertical scale of the profiles shall be not less than 1 to 250. The sections of rounded surfaces and sidewalks and curbing shall be not less than 1 to 30. The scale for the map of the neighborhood shall be not less than 1 to 5,000.

ARTICLE 65. - Size of the Drawing Sheets. - The sheets shall be sixty (60) centimeters by ninety (90) centimeters and shall have a border line marked on them a centimeter and a half (1.5) from all edges. There shall be a margin of one centimeter within the border lines, and a margin of twelve (12) centimeters shall be reserved, on the right hand side of the sheet, for the title, certification, endorsement, conditions of approval and supplementary information that may be required.

ARTICLE 66. - System of Measures. - All plans and information shall be presented in the Metric System, or in the English System when established practice counsels this.

ARTICLE 67. - Contents. - Construction Plans shall show the following:

- (a) The name that is proposed for the development.
- (b) The North (magnetic or geographic), the scale, and the date of preparation.
- (c) The name and the address of the developer and of the legally-authorized professional who prepared the project.
- (d) The name of the parcel and other descriptions, in accordance with the inscription in the Property Register, and a certification of the Property Registrar who has jurisdiction, showing that the developer has title to the property or properties in which the development is situated, and that this title has been valid at least sixty (60) days before the presentation to the Secretary of the Board.
- (e) A map of the neighborhood, or a key map, that shows the surroundings of the development in such a way that it is possible to appreciate the relationship between the project and the rest of the populated area or municipality.
- (f) The area, and the boundaries of the land that is being developed, with specifications up to minutes and distances up to centimeters, expressed in the form of a table or indicated in the drawing. These boundaries shall be

determined by a survey on the site, which shall be balanced and closed and certified as correct by a civil engineer or surveyor who is duly authorized and who possesses a license to exercise the profession in Puerto Rico.

- (g) The names of the adjacent development, and/or the names of the owners of conterminous properties that are not developed, as they appear in the Property Register.
- (h) Contour intervals, equidistant, of one (1) meter or less change in level, and using as a point of reference, sea level as established by the "U.S. Geological Survey". When the points of reference of known benchmarks are at a considerable distance from the parcel to be developed, the Board may accept another convenient point of reference.
- (i) One or more plans showing the following:
 - (1) the situation, width and name of all streets that exist or appear on the Official Map and/or Regulating Plan, or of any public right of way or railroad rights within the parcel of land or adjacent to it.
 - (2) The situation, width and name of all streets, passage-ways, lanes, easements, parks, and free and reserved spaces that are projected.
 - (3) The boundaries of the residence lots and the front building line.
 - (4) The general development plan, indicating the numbering of squares and lots, their area, and their use and proposed restrictions; for example, whether they are

intended for single-family houses, multiple-family housing, or for commercial or industrial purposes, or for any other purpose.

- (5) The parcels or lots to be reserved or dedicated to public purposes, with an indication of their areas and with labelling according to the names used in the pertinent Preliminary Development approved by the Board.
- (j) The longitudinal profile of each street, showing the natural surface of the land and the grading that is proposed, and including extensions to a reasonable distance beyond the boundaries of the development that is projected.
- k) A transverse section across the entire development and along a line that will give an idea of the grade or level of the land that is projected for the entire area.
- (l) The complete plans for the system of water distribution, showing the source of supply, the size of the pipes, the valves, the fire hydrants, the treatment system, if one is projected, the kinds of materials and other details.
- (m) The complete plans for the sewage system, the rainwater drain-off, or a combined system, with slopes, elevations of depth and sizes of pipes, the discharge site or works, the treatment system, if one is projected, the kinds of materials, and other details.
- (n) The design of the system for electricity distribution,

showing the situation and the size of posts, guys, the class and gauge of wires, the transformers, the switches, and other details.

- (o) The specifications and details of all the development works that are proposed.

ARTICLE VIII

INSCRIPTION PLANS

ARTICLE 68.- Definition. - Inscription Plans are defined here as a series of maps, drawings and documents, by means of which the development plan is presented for its inscription and filing. These shall conform, in all their parts, to the Construction Plans and to the actual construction which they represent. The Inscription Plans shall be submitted to the Board, and after their definitive approval by the Board, the developer shall proceed to present them in the register of plans and developments for their inscription and filing.

The drawings that are included in the Inscription Plans shall be made in a clear and legible form, in black ink, and on tracing cloth or paper.

ARTICLE 69. - Scale, Size of Sheets, and System of Measures.- The horizontal and vertical scales, the size of the sheets, and the system of measures of the Inscription Plans shall be the same as those of the Construction Plans.

ARTICLE 70. - Contents. - The Inscription Plans shall show:

- (a) The same information as is required for the Construction Plans under Article 67 (a), (b), (c), (d), (e), (f), and (g).

(b) The same information as required in Article 67, subsection (i), but showing:

- (1) All the elements of curves, interior angles, exit and entry tangents, and the length and trajectory of angles, for all public streets, rights-of-way and easements.
- (2) The exact distances in meters and centimeters and the bearings in degrees and minutes of all boundaries of the building lots, and free and reserved spaces. There shall be shown the abutment of these boundaries with the axes or the edges of the streets and passage-ways.
- (3) The appropriate labelling of all areas reserved or dedicated for some public use.

(c) Documents:

- (1) Two certified copies of the official document reserving and dedicating or transferring a free area and/or a park.
- (2) A copy of the public documents establishing the easements and restrictions that are required in this Regulation and provided for in the development plans.
- (3) A certified copy of the document or documents establishing any kind of easement or restriction that is placed upon the piece of land to be developed by the developer on his own initiative. These documents shall serve only as information for the

Board for the formation of residence lots.

- (4) A sworn certification by a professional authorized by law to project developments, to the effect that all the structures shown in the Construction Plans have been constructed and have been carried out in accordance with the Construction Plans, as approved by the Board.
- (5) A certification of approval of the development works issued by those agencies of the Government that are responsible for the inspection and approval of said works.

~~TITLE IX~~ SPECIAL CASES

ARTICLE 71. - Developments of a Simple Type. - When it is a matter of a development of a simple type as defined in Article 6, in which all of the development works appear to be appropriately constructed, such a development will be required to comply with all the other requirements and conditions concerning developments that are established by this Regulation.

ARTICLE 72. - Developments of a Semi-Rural Type. - In the cases of developments of a semi-rural type that are situated in areas that can be considered to be transitory between urban and rural planning, the Board may decide not to apply some of the provisions of this Regulation concerning development works, such as those referring to sewage works and sidewalks.

In no case, however, shall the Board approve a development of a semi-rural type without provision for access and streets that are solid and asphalted, with potable water for each lot, and a system of electrical distribution that conforms with the requirements of a development of this nature.

ARTICLE 73. - Developments of a Rural Type. - In the cases of developments of a rural type that are situated outside of the areas of metropolitan or urban planning, the Board may, in the degree to which it considers it permissible in each case, exempt such developments from the provisions concerning the construction of development works contained in the present Regulation, requiring, in their place, the rustic improvements that are considered necessary.

In no case, shall the Board approve a development of a rural type without the provision, at least, of an easement for a real and permanent passage that will serve as access to the development and to each of the new lots.

ARTICLE 74. - De Facto Development. - In those cases of de facto development in which, in accordance with proofs that may be presented, the Board concludes that they were carried out prior to September 4, 1944, the Board may give notice by resolution to the interested party in order that he may proceed with the inscription of such development in the pertinent register of plans of development.

ARTICLE 75. - Urbanization Works Previously Accepted. - When the proposed development is situated on a street that has been legally urbanized and accepted as such by the pertinent municipality,

prior to September 4, 1944, new urbanization works shall not be required for such street, except for public lighting and the works necessary for the provision of water and for the disposition of sewage. Such development, however, shall be required to comply with all the other requirements and conditions established by this Regulation.

ARTICLE 76. - Urbanization Fostered by Public Entities, and Private Projects of Urbanization to Prepare Lots for Low-Cost Housing. -

(a) Public Governmental Urbanizations: When it is a matter of plans submitted and guaranteed by an agency or office of the Government, for housing projects for families of low income, and which include plans for the general development of a neighborhood or community, the Board may decide not to apply, and/or to accept variations to, the provisions of this Regulation. However, the Board shall require that such public projects shall provide appropriate free space for recreation and other community uses, and that the projects shall likewise satisfy needs for transit, light and air in such a way that the project will redound to the benefit of the public interest. In these cases, the pertinent agency must comply, moreover, with the provisions of Planning Regulation No. 2 applicable to the project in question.

(b) Private Urbanization to Prepare Lots for Low-Cost Housing: When it is a matter of urbanization to be constructed by private entities or persons in any municipality of the

Free Associated State of Puerto Rico and the purpose of which is to provide lots for sale to persons of low or medium income for the construction of low-cost housing, such urbanization shall be governed by the provisions that are set forth in the following. These provisions provide for the urbanization of lands and the preparation of lots with the necessary facilities and services at a minimum cost.

(1) Technical Provisions:

- (a) Size of Lots. - The residential lots shall have a minimum of two hundred and fifty-two (252) square meters, but they shall not exceed three hundred (300) square meters. They shall have not less than twelve (12) meters width on the front of the lot and along the building line.

The squares shall have two lines of lots that shall measure in their width not less than forty-two (42) meters.

- (b) Local Streets. - These shall have a right-of-way of thirteen (13) meters that includes a rolling surface of a width of six (6) free meters between the inside limits of the curbing; sidewalks of a minimum width of one and a quarter (1.25) meters, and safety parking of a width of two and a quarter (2.25) meters on both sides of the rolling surface.

The minimum type of acceptable paving must include a base-course of stone (Telford) of a thickness of twenty (20 mts.) centimeters, a surface of crushed stone

(macadam) of ten (0.10 mts.) centimeters in thickness, and a finish of surfacing asphalt (Designation At-60 or better). The base-course of "telford" may be substituted with crushed rock of a grade that conforms with the specifications No. 52-2.2 (Material Case I "Grading A") of the Department of Public Works of Puerto Rico; but in the cases discussed here, the finishing should preferably be improved by the use of a one-inch layer of asphaltic concrete. Likewise, the base-course of "telford" may be one of crushed rock.

In extensive projects, the local streets that will have heavy general traffic, shall be provided with a rolling surface of eight (8) meters width rather than six (6) meters. In these cases, and with the substitution of "telford" by crushed rock, the finishing should be with a layer of one-and-a-half of asphaltic concrete.

- (c) Principal Streets.- Streets with larger rights-of-way shall be required in extensive projects, or when such streets are included in a Regulating Plan or Official Map. In cases in which such principal streets are required, they shall conform to the transverse section that is required by this Regulation.
- (d) Curbs and Gutters. - Curbing and gutters shall be constructed of concrete and in a design acceptable to the Board to provide for good surface drainage.
- (e) Water Distribution System. - This shall be designed and constructed in conformity with the minimum standards

established by the Authority of Aqueducts and Sewers of Puerto Rico.

- (f) Sewage System. - This shall be designed and constructed in conformity with the minimum standards established by the Authority of Aqueducts and Sewers of Puerto Rico.

In those cases in which sewer trunk lines do not exist which are accessible, or in which such trunk lines may be installed in the near future, or in which the small size of the project does not justify the provision of a sewage treatment plant, exemption from the construction of a sewer system shall be granted, and permission shall be given for the construction of individual septic tanks, subject to their acceptance in each case by the Health Department of Puerto Rico and the Planning Board. In these cases, the minimum size of the building lot shall be greater than otherwise established, and the size shall be determined by the Board after the carrying out of infiltration tests in the land to be subdivided. The septic tanks and other accessory installations shall conform with the minimum established standards, and must likewise conform with the requirements of the Federal Housing Administration when the houses to be constructed are financed principally through the programs of the said Federal agency.

- (g) Electric Distribution System. - The system of electric distribution shall be installed along the back boundaries of the building lots. Each post shall serve six (6)

building lots provided arrangements are made for the pertinent easements on those lots where the aerial lines cross. The capacity of the transformers as well as the other electrical details shall conform with the standards established by the Water Sources Fuentes Fluviales Authority of Puerto Rico.

In case the design of the urbanization requires it, and when local physical conditions so justify, the Board may accept the installation of distribution lines along the streets. However, each particular case must be considered and approved by the Board.

- (h) Public Lighting System.- The public lighting system along the streets may be provided by cables suspended from distribution posts which shall hold the lights. The other details for the installation of this system shall conform with the minimum standards established by the Water Sources Authority of Puerto Rico.
- (i) Drainage System. - Provided that the physical and topographical conditions do not require special works and drainage pipes, surface drainage shall be permitted.
- (j) Commercial Centers. - When it is considered necessary, commercial areas shall be provided in adequate sites and in conformity with designs to be approved by the Board. Commercial lots may be larger than the minimum previously established in this same Article. It shall be required, moreover, that these commercial areas be provided with spaces for the parking of vehicles and

passage-ways for service and operating areas.

(2) General Provisions:

- (a) To guaranty the objective of these special provisions and to assure the provision of building lots to persons of low or medium income before approving urbanizations to be developed under these provisions, the Board shall establish by resolution the maximum price for the sale of lots or for a house and lot to be constructed in these urbanization projects.
- (b) For the purpose of compliance with the provisions of this article, there should be a guaranty in a form acceptable to the Board that the final disposition by the developer of the lots that are to be formed and the houses that are to be constructed shall be at the maximum price established in accordance with the preceding.
- (c) The Permit Official shall watch out for compliance with these provisions and shall not authorize any construction permits for new buildings in these urbanizations that exceed the pertinent cost established by the Board.
- (d) In the cases of urbanizations approved under the provisions of this Article, the provisions of the Zoning Regulation concerning Interim Zoning shall be applied.
- (e) All the other provisions of this Development Regulation that are not modified by this Article, shall be completely

in force and effect and shall likewise be applicable in these cases.

ARTICLE 77. Cemeteries. - Since cemeteries are subdivisions of a special character, the Board may abstain from applying any of the requirements of this Regulation that will affect their internal order.

The Board, however, in considering this type of subdivision shall give due consideration to its placement with respect to the development of the neighboring areas and to any other social or economic aspects that may arise with respect to such siting.

With respect to their internal order as well as with respect to their placement or siting, cemeteries must receive, in addition, the approval of the Health Department.

ARTICLE 78. - Cases of Several Buildings on a Single Lot. - In the cases of institutions or other civic organization or entities, for teaching, religious, charitable, recreational, industrial and other purposes, in which there are to be constructed several buildings that, even though physically independent, are to function with relation to the same principal purpose, the Board may be guided by the appropriateness of accepting their establishment on a single piece of land.

In such cases, there shall be submitted to the Board a preliminary project that includes the placement or siting of the buildings and any roadways to be constructed, accompanied, in addition, with a description of the project and an account of the use to be given to the new buildings.

If any part or parts of such organization or entity were later to be changed to an independent principal use, the interested party would become obligated to comply fully with the provisions of this Regulation.

ARTICLE 79. - Cases of Extraordinary Difficulty. - When the Board may be shown that extraordinary difficulties exist which obstruct full compliance with this Regulation, the Board may modify the application of any section or sections of the Regulation, according to the case, always provided that the public well-being is not prejudiced.

ARTICLE 80. - Additional Information. - When, in the judgment of the Board, any additional information or study not prescribed by this Regulation may be considered essential in order to make an adequate decision concerning any plan under its consideration, the Board shall require the urbanizer to provide such information or additional study.

ARTICLE 81. - Unnecessary Information. - When, in the judgment of the Board, any information required by this Regulation may be considered unnecessary for the issuance of an adequate decision concerning any subdivision project, the Board may relieve the developer of the requirement to present such information.

ARTICLE 82. - Record of Special Cases. - Any variation or omission of detail or works that may exist in the subdivision plans already approved, shall be interpreted to be approved only in accordance with this Regulation and not in the form submitted. That is, it shall be understood that such concessions or variations

from this Regulation have been permitted, as special cases, in accordance with the previously-mentioned provisions of this Article IX, when these variations are expressly related and described in the pertinent resolution or official minutes of the Board with an indication of the reasons that the Board had for permitting the variations. Variations or concessions that are not thus in the record as special cases, and specified in the pertinent resolution, or in the minutes of the Board, shall not be accepted as valid, and the developer shall become obligated to execute the works in strict harmony with all the requirements of this Regulation.

TITLE X

LEGAL PROVISIONS

ARTICLE 83. - Terms Employed. - All words used in the singular in this Regulation shall be understood to include likewise the plural when its use is justified, and in like manner the masculine shall include the feminine, and the word 'person' shall include the natural as well as the juridical or legal person, or association, corporation or any other entity.

ARTICLE 84. - Escape Clause. - If any word, subsection, expression, article or other part of this Regulation should be impugned for any reason before a court and declared unconstitutional or void, such legal decision shall not effect, diminish or invalidate the remaining provisions and parts of this Regulation, but the effect of the court decision shall be limited to the word, subsection, expression, article or specific parts thus declared unconstitutional or void;

and the nullity or invalidity of any word, subsection, expression, article or part of this Regulation in one case shall be understood to have no effect or prejudice in any sense in the application or validity of such part in any other case.

ARTICLE 85. - Penalty. - Any person who infringes this Regulation or Article 24 of Law No. 213 of 1942, as that Law itself provides, shall be guilty of a tort [delito menos grave y convicta que fuere] and shall pay a fine of not less than twenty-five (25) dollars and not more than three hundred (300) dollars, and an additional fine in the same amount for each building or structure constructed or maintained, or for each building lot, parcel or interest in such lots which he has for these purposes transferred, sold or leased, or agreed to sell or lease.

ARTICLE 86. - Superseding Clause. - From September 4, 1944, the date that Planning Regulation No. 3 went into effect, and according to the provisions of Law 213 of 1942, Law No. 11 of 1931, entitled "A Law to fix a permanent procedure for the urbanization of lands of the cities and towns of the Island, to supersede Law No. 69, entitled "Law providing that all urbanization of lands near the cities and towns of Puerto Rico shall be submitted for prior study and approval to the municipal assemblies, fixing the appropriate legal procedure, and for other purposes," approved August 3, 1925, and for other purposes" remained without effect and therefore derogated. There were likewise derogated and made inapplicable with respect to the lands subject to the mentioned Regulation, all the regulations adopted in accordance with Law No. 81, approved March 14, 1912, and entitled "Law for reorganization

of the health service", insofar as the said regulations may have been related to urbanization and the subdivision of land.

Any regulation or any part of a regulation, insofar as it may be incompatible with the provisions of this Regulation, is hereby derogated.

ARTICLE 87. - Time of Going Into Effect. - This Subdivision Regulation (Second Revision) as well as the amendments to it that may be adopted by the Board, shall go into effect thirty (30) days after their approval by the Governor of Puerto Rico.

Promulgated in accordance with Article 20 of Law No. 213 approved May 12, 1942, as amended, in the margin: SUBDIVISION REGULATION, adopted by the Planning Board of Puerto Rico on March 15, 1954, shall go into effect with all the force and vigor of a law thirty (30) days after the date of its approval.

In testimony of which, I have signed this document and have had it stamped with the Great Seal of Puerto Rico, in the city of San Juan, today, March 26, nineteen hundred and fifty-four.

(seal) (signed) LUIS MUÑOZ MARIN
Governor

Promulgated in accordance with the Law, today, March 26, 1954.

(signed) N. ALMIROTY,
Under Secretary of State

Approved: March 26, 1954.

In effect: April 26, 1954.

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